

Miscellaneous.

REPORT

Of the Committee on Federal Relations on so much of the Governor's Message, and the accompanying Documents, as relates to the controversy between Georgia and Maine.

The Committee on Federal Relations, to whom was referred so much of the Governor's Message, as relates to the controversy between the States of Georgia and Maine, with the accompanying Documents have had the same under consideration, and beg leave to submit the following Report:

In May, 1837, a slave, named Atticus, the property of James Saxtons and Henry Saxtons, citizens of the city of Savannah, in Chatham county, in the State of Georgia, was conveyed from that State to the State of Maine, by Daniel Philbrook and Edward Killaran, citizens of the latter State: the former of whom was the Master, and the latter the mate of the schooner Boston, which had recently entered the port of Savannah. On the 16th of June, of the same year, information on oath was made before a Magistrate of Chatham county, by James Saxtons, one of the owners of the slave, that Daniel Philbrook and Edward Killaran, "did, on or about the fourth day of May last, feloniously inveigle, steal, take and carry away from the limits of the State of Georgia," the slave Atticus; "that said Daniel Philbrook and Edward Killaran have been guilty as the deponent is informed and believes, of a felony under the laws of this State," and "that since the commission of said felony, the said Philbrook and Killaran have fled from this State, and are, as he believes, at this time, within the limits of the State of Maine, in the United States."

A warrant for the arrest of Philbrook and Killaran, was issued by the Magistrate before whom the information was made, on the same day, to which, the officer charged with its execution, returned that they were not to be found in the county of Chatham.

On the 21st of the same month, His Excellency, William Schley, Governor of the State of Georgia, made a demand upon His Excellency, Robert P. Dunlap, Governor of the State of Maine, of Philbrook and Killaran, as fugitives from the justice of Georgia, charged with feloniously inveigling, stealing, taking and carrying away, a slave, and transmitted with his demand, a copy of the affidavit and warrant, and the return, duly authenticated. On the 16th of August, of the same year, Governor Dunlap addressed to Governor Schley, a communication, in which he declined to cause the arrest of Philbrook and Killaran.

In December, 1837, the Legislature of Georgia, adopted resolutions, declaring the refusal of the Executive of Maine to surrender Philbrook and Killaran, dangerous to the rights of the people of Georgia, and directly and clearly in violation of the plain letter of the Constitution of the United States: that the State of Georgia became a party to the Federal Constitution no less for the better protection of her own, than the common rights and interests of all, and that when these ends are defeated, she is released from the obligations of that compact, and is at liberty to renege her duty, to provide protection for her people in her own way: that when an indictment should be found against Philbrook and Killaran, the Executive be requested to renew the demand for their arrest, and if the demand be again refused by the Executive of Maine, that a copy of its resolutions be transmitted to the Executive of each State in the Union, to be laid before their respective Legislatures; that a copy be transmitted to the President of the United States, and to the Senators and Representatives of Georgia, in Congress, to be submitted to that body; and if the Legislature of Maine, at its next Session, after those resolutions should have been forwarded by the Executive of that State, neglect to redress the grievance complained of, then, that the Executive of Georgia announce the same by proclamation, and call a Convention of the people, to take into consideration the state of the commonwealth of Georgia, and to devise all necessary safeguards for the protection of the rights of her people.

On the 7th of February, 1838, an indictment, charging Philbrook and Killaran with larceny, in feloniously inveigling, stealing, taking and carrying away the slave Atticus, was found by the Grand Jury of Chatham county, and on the 27th of April, His Excellency, Governor Gilmer, the successor of Governor Schley, made upon Governor Kent, the successor of Governor Dunlap, the demand requested by the Legislature of Georgia, and accompanied that demand with the copy of the indictment found, and the proceedings on which it was founded, duly authenticated.

On the 25th of June, Governor Kent declined to order the arrest and surrender required by the authorities of Georgia.

On the 19th of August, 1839, Governor Gilmer addressed a communication to Governor Fairfield, the successor of Governor Kent, desiring to be informed of the action of the Legislature of Maine on the subject of the resolutions of the Legislature of Georgia, and received for answer, the proceedings of the Legislature of Maine, declaring it inexpedient to legislate on the subject, as it is exclusively within the province of the Executive Department.

The second clause of the second section of the fourth article of the Constitution of the United States provides "that a person charged in any State with treason, felony or other crime, who shall flee from justice, and be found in another State, shall, on demand of the Executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime."

The act of Congress of 1793, declares "that whenever the Executive authority of any State in the Union or of either of the Territories North-west or South of the River Ohio, shall demand any person as a fugitive from justice, of the Executive authority of any such State or Territory to which such person shall have fled, and shall moreover produce the copy of an indictment found, or an affidavit made before a Magistrate of any State or Territory as afore-said, charging the person so demanded with having committed treason, felony, or other crime, certified as authentic by the Governor or Chief Magistrate of the State or Territory, from which the person so charged fled, it shall be the duty of the Executive authority of the State or Territory to which such person shall have fled, to cause him or her to be arrested and surrendered, and notice of the arrest to be given to the Executive authority making such demand, or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent when he shall appear."

By the code of Georgia, "simple larceny is the felonious taking and carrying away the personal goods of another," and the same code provides, that "any person or persons who shall feloniously take and carry away a slave, shall be punished by imprisonment at hard labor in the Penitentiary, for any time not less than three years and not longer than seven years."

In reply to the demand of Governor Schley His Excellency, Governor Dunlap, suggests that Philbrook and Killaran visited the city of Savannah, in the course of their business as Mariners, and returned to their domicile in Maine, by the customary route, and in the usual time; that they abided at their residence without concealment, and demeaned themselves as unsuspecting and innocent citizens, and insists that it may well be called in question whether such a course of conduct can be regarded as fleeing from justice, and they as "fugitives," within the meaning of the Constitution.

As this point is rather suggested than made,

your Committee will proceed to a brief examination of the grounds on which the refusal to surrender the fugitives, is supposed to be justified.

The first ground taken by Governor Dunlap, assumes, that the affidavit submitted to him, does not specify the fact of which the imputed felony is predicated, but merely suggests the commission of a felony, without enabling His Excellency to determine, whether it aimed at the subversion of the Government, or affected the life liberty or property of individual citizens, and that there is no specification of time, place or the manner of its commission. The second ground is, that the commission of the larceny, is not positively charged, but that the larceny, is believed by the deponent to have been committed; and maintains that such an affidavit would not authorize a Magistrate to issue his warrant of arrest, or justify the detention of an individual for trial.

Your Committee cannot well conceive that an affidavit so clear in its specification of the particular offence—even with the minuteness with which the statute of Georgia defines it,—and so direct and positive in charging the alleged fugitives with its perpetration, could have been the subject of mistake or misconception. Its language is positive and explicit, that they "did feloniously inveigle, steal, take and carry away" the slave and not that the deponent had been informed, or believed they had done so.

The legal propositions insisted on by His Excellency, the Governor, in the grounds on which his refusal is put, appear to your committee to be as untenable, as the assumption of fact in both, is gratuitous and palpable.

All who have the slightest knowledge of Criminal Law, cannot but be aware, that precision of statement, and particularity of averment, do not constitute requisites of any process or proceeding, that seeks merely the arrest, or detention of one suspected of crime, but that information on oath that a crime has been actually committed, and that there is cause and probability of suspecting the party against whom the warrant is prayed is all that is usually, or can be legally, required.

Whatever opinion may be entertained of the sufficiency of the affidavit, or of the nature of the objections raised by Governor Dunlap, his successor Gov. Kent, admits, that the grounds of his predecessor's refusal are removed by the indictment found, a copy of which accompanied the second demand which was made by Governor Gilmer.

He admits that the copy of the indictment found, "for stealing a man alleged to be a slave," as he is pleased to designate the charge, is sufficient evidence that the alleged fugitives from the justice of Georgia are charged with a crime, but sees no evidence that they are fugitives from justice; and when their arrest is demanded as a right, claim, or the Executive of Maine, the right to be satisfied of the existence of this fact, as one of the conditions of the demand.—He suggests a doubt, whether an accusation or charge must not have been made before the flight, to authorize the demand, and feels but little doubt, that such was the chief intention of those who framed our Federal Constitution.

Is the demand a right? The right of a Foreign State or Kingdom, independent of treaty stipulations to require the surrender, on demand, of those who have committed crimes in another Country, is a proposition, of which many distinguished writers on public law, maintain the affirmative, and some with equal claims to consideration, the negative. But whatever may be the right amongst Foreign Nations, all concur that the impolicy of affording an asylum, and a refuge to fugitives from justice of other States, is undeniable. It is believed that most, if not all Foreign States, that have established commercial relations with others, have thought it to provide for their security in this regard.

When it shall be remembered that our Federal Government, in its treaty with Great Britain in 1794, stipulated expressly for this right; that the Constitution of the United States, established "to form a more perfect Union, establish justice, and ensure domestic tranquility," between contiguous States, and that that instrument imperatively declares the fugitive "shall, on demand, be delivered," your Committee cannot perceive, the propriety with which the right can be questioned.

That the suggestion, whether an accusation or charge should not have been made, before the flight of the offender, to authorize the demand, is a fact that is susceptible of only presumptive proof, and rarely could be otherwise established, than by proof, that a crime had been committed, and that its perpetrator had gone without the limits of the State, having jurisdiction of the offence. But the affidavit charges the flight of these individuals, directly and positively, and receives confirmation from the return of the officer, charged with the execution of the warrant, and the Act of Congress, in providing for the arrest and removal of fugitives from justice, intends summary and ministerial proceedings, and does not contemplate judicial investigation for ascertainment of the fugitives' guilt. The evidence which shall accompany the demand, is shown prima facie, that the party is guilty, that there is probable cause to believe him guilty, such as would upon a warrant justify his commitment for trial.

If this be the purport and effect of the evidence, in the form prescribed, it appears to your Committee that the right to demand the removal of a fugitive, is undeniable, and the duty to cause the arrest and surrender, imperative. Your Committee will not here, refrain from allusion to a fact which may afford some illustration of the course which the Executive and Legislative Departments of Maine, have seen fit to pursue, in respect to the demands which have been made, of the surrender of the alleged fugitives from the justice of Georgia. After the refusal of Governor Dunlap and after the action of the Legislature of Georgia on the subject, the Legislature of Maine enacted a Law, that when the surrender of a fugitive from justice shall be demanded of the Executive of that State, "and the Governor shall be satisfied, on investigation of the grounds of such demand, and that the same is made conformably to law, and ought to be complied with, he shall issue his warrant under the seal of the State authorizing the agent who should make such demand, either forthwith or at such time as shall be designated in the warrant, to take and transport such offender to the line of this State."

That this statute intends by the Executive Department of Maine, inquiry into the guilt of the fugitive, and a determination of the expediency of ordering his surrender whether he be innocent or guilty, although demanded conformably to law, its terms, as well as its history, may well render probable. If this be its just interpretation, well may the Governor of Maine, call the right to demand a fugitive from justice, a question.

But if this construction be incorrect, and the right to make the demand unimpaired by the statute, it will be perceived, that the warrant of arrest must be executed by the agent of the State whose Chief Magistrate makes the demand, and that the Governor of Maine, may authorize the arrest either forthwith, or at such time, as may be designated in the warrant. The difficulties which such agent would at any time experience, in making an arrest, in a Foreign Jurisdiction, especially with a warrant designating a remote day for its execution, added to the chances of escape which it holds out, would, in most cases, make it utterly impracticable. However incompatible with the Supreme Law, your Committee may deem this Statute of Maine, illustrated as it is by the conduct of her Executive Department, they are constrained to regard it, as indicating the settled determination of that State, that no citizen of hers, shall ever answer in a Southern tribunal, for an offence against the right to certain property, to which her policy and people, are most cordially hostile.

The facilities which the Federal Constitution affords to citizens of the United States, who are inimical to slavery, of abducting and inveigling slaves from their owners, and the temptation to embrace those facilities, which is suggested by such impunity, as the authorities of Maine have provided for her citizens, presents a conjuncture; which the least timid, and the most prudent amongst us, may well deem full of peril to the rights of the South. When the safeguards of the Federal Constitution shall become ineffectual and illusory, then indeed, the period has arrived, when the States of the South must take care that their citizens sustain no detriment. Let us tell our brethren of the North plainly, but resolutely, that if they did introduce slaves amongst us against our remonstrance, they shall not remove them against our consent, and that whilst we tolerate no impairment of our title to our property, in the Hall of the Federal Legislature, we will, also, refuse to State to convert itself into a city of refuge for those who invade it as felons.

Your Committee recommend the adoption of the following Resolutions:

Resolved, That it is the duty, as well as the right, of any State, to insist on the faithful observance of the Federal Constitution, by each State in the Union.

Resolved, That to define crimes and felonies within its jurisdiction, is an incident to the sovereignty of each State, and that no other State can question the exercise of that right.

Resolved, That to demand the surrender and removal of fugitives from justice, is, by the Constitution, a right; and the arrest and surrender a duty; that the denial or impairment of this right, is inconsistent with the constitutional obligations of a State, and subversive of the peace and good government of the other States.

Resolved, That the right has been impaired, if not denied, by the authorities of Maine, and that this State will never consent, that any State shall become an asylum for those who are fugitives from the justice of other States.

Resolved, That this State will make common cause with any State of this Confederacy, in maintaining its just rights, under the guaranty of the Constitution of the United States; and should the obligations of this instrument be disregarded by those whose duty it may be, to enforce them, it will take counsel of its co-States of this Confederacy, having similar interests to protect and similar injuries to redress, in devising and adopting such measures, as will maintain, at any hazard, these rights, and that, pro- verty, which the obligations of the compact of Union—cancelled as they then will be, as to us—have failed to enforce.

Resolved, That the Executive of this State, be requested to transmit to the Executive of the several States, to be laid before their respective Legislatures, to the President of the United States, and to our Senators and Representatives in Congress a copy of the above Report, and of these Resolutions.

Resolved, That the House do agree to the Report. Ordered, that it be sent to the Senate for concurrence.

T. W. GLOVER, Clerk House Representatives.

IN SENATE, December 20, 1840.

Resolved, That Senate do concur. Ordered, that it be returned to the House for concurrence.

By order, WILLIAM E. MARTIN, Clerk Senate.

pass, before we shall go deeply into that subject. The country is now at a point at which it has become of far more interest than ever.

Sir, I differ in toto from the Senator from Kentucky as to the causes of distress; and, if I am not mistaken, they are the very opposite of what have been suggested. To revive the old, tried and condemned American system, would be ruinous in every branch of industry, and especially the manufacturing, agricultural, and commercial interests. The distress which he ascribes to the importation of silk, comes from other causes. He looked up on any measure that would, at this time, increase the credit of the States so as to enable them to sell more bonds in foreign markets, as positively injurious. We slip our credit, and bring in goods. I hold the very reverse of what the Senator has indicated as true policy, and I hope for an early opportunity of pointing out that policy, and that at an early day we shall look deep into the subject.

Mr. Clay. This is a little unusual, to engage in a discussion on this subject thus before the time. Sir, have I proposed or suggested a revival of the tariff further than the compromise allows? Not in the slightest degree. I merely proposed a duty on silk, as an article of luxury, entirely consistent with the compromise.—Sir, what was it that I proposed? It was simply that the maximum duty of the compromise—that is, twenty per cent.—should be imposed on silk, which is in no way, incompatible with the compromise.

And how can this injure the manufacturers of cotton, ship-building, or any thing else, which are now nearly prostrated? The woolen manufacturer at the North is almost entirely stopped, and that of iron itself is among the most languishing. How can the duty on this luxury affect either the manufacturers or agriculture of the country? It will benefit them; for it will directly aid the manufacture of silk, and, if raw silk is produced with success, it becomes a fit object for importation, and it may aid greatly in removing the ruinous excess in the balance of trade, which will crush us all, unless the people can rise to their own relief.

And the State debts? Sir, I should like to know by what right the subject of State debts is so frequently dragged into this Senate, and the States are here eluded and censured as if under our supervision, who gives us jurisdiction over them? By what authority have we the right to say to Pennsylvania, or Illinois, or any other State, you are extravagant; you have got into debt; and we will leave you to get out as you can. Whence is this right?—Who made it the duty of the Federal Government to give lectures to the States on getting into debt? But those debts have been contracted, and, as the Senator from South Carolina says, one effect of it has been to enlarge our imports, because the means arising from the State bonds have been thrown into the channel of commerce. But it will be no longer so, for that very means will now become an obstruction to commerce. But those debts exist, and as men of honor and honesty, those who owe them, must pay them; and I trust no man here will be so destitute of honor and probity, as to say they ought not to be paid. They have been contracted, and our States have received the benefit, and I trust and believe that no State in this Union will be so lost to honor and good faith as not to pay such debts.—The debts exist, and in the worst forms, because the foreigner is against us, not as a whole, but divided into parts, as separate members of the Confederacy, on whom there is foreign debt; and consequently foreign influence.

And what is to be done? The States have here proposed nothing in either branch of Congress. But we know that the existence of these debts, and the distress which prevails in these different communities, and we know that taxation will be necessary. Some of the States, right or wrong, have contracted debts to an extent which the people cannot bear, and if we are not destitute of all those feelings which ought to belong to a parent Government, and which, as such, we should cherish, we ought deeply to sympathize with all these sufferings.

Well, and what suggestion did I make? Was it to assume these debts? No, sir, no, sir. But we are in possession of an important fund, which, of right, belongs to the States. The States have no power of imposing duties on imports to relieve themselves. And what was my suggestion? The debts exist, and must be paid, principal and interest; and my suggestion was, that we should give up what belongs to the States, or, at least, do what we can for them, by imposing duties on articles purely of luxury, and give the States their own property, the proceeds of the public lands, which would of itself be sufficient to pay the interest on a debt of \$100,000,000, and I believe the whole amount of State debts is not much more than \$100,000,000. But I have been drawn into an exhibition of these views on an occasion which I had not intended it. I merely meant to make some suggestions appropriate on presenting a memorial.—The Senator from South Carolina thought fit to express, what is not at all extraordinary, that there is a total difference of opinion between us on this subject. But he misstated me in regard to the tariff, and I therefore thought it my duty to say what I have done on that point; and I trust this will serve with the Senate as my apology.

Mr. Calhoun. I will not enter into the argument, but merely say, by way of comment on the Senator's remarks, that his scheme in regard to the public lands, is one of the modifications for assuming the State debts; and, in my opinion, it is the most unconstitutional and ruinous that can be imagined. But I trust the Senator from Tennessee [Mr. Grundy] will give us an opportunity soon to enter fully into that subject—(alluding to the expected report on Mr. Benton's resolutions adverse to the assumption of debts by the States.) It is time to act, and in my opinion, we are at the point where the American System was adopted—the revival of which would be followed by incalculable injury. I am ready to meet that point, and to show that the whole system is the reverse of our true policy.

Mr. Clay. The gentleman chooses to call this (distribution of the land proceeds)

an assumption of the State debts. Why, sir, the proposition was made long before any state was in debt, or, if any, only for a trifling sum; and the gentleman says this is an assumption of the State debts! But how? On what grounds did I make my proposition? We are in possession of a fund belonging to the States, held in trust solely for their benefit; and I said we ought now to distribute its proceeds among the States. And the gentleman says this is an assumption of the State debts! Sir, how is it so? And whose is this property? It will go to the States that owe no debt; and if those States receive it, they get only what they are entitled to.

In respect to the American System, I am ready to engage in the discussion on that subject; but when I do so, I hope the honorable Senator from South Carolina will remember the part he took in 1816, as the originator of that system; and that I was then his humble follower on that subject, and for years afterwards; and I believe the country is now fifty years ahead of what it would have been but for that system; and if it had not been for that system, we should be now in the state we were before the Revolution, when there was no paper nor more currency, except as tobacco and other articles of trade were used as a medium.

I shall then be ready to show that domestic causes produced the greater portion of the distress in which the country is involved; but of foreign causes, the main one has been that we produce too little at home, and send for too much abroad; and I believe the imports are enlarged not merely by the want of duty on luxuries, but the list of free articles is more than a moiety of the whole imports of the country.

Mr. Grundy said, without intending to declare any opinion on the merits of the debate in which the gentleman who preceded him had engaged, he expressed the hope that the subject of the assumption of State debts by the General Government would not be worn out before it came properly before the Senate. The Select Committee to which that matter had been referred, would, in a few days make a report, in which all the questions connected with the subject would be presented, fully and fairly, for the action of the Senate, and every Senator would have an opportunity of presenting his sentiments on them.

The memorial was then referred to the Committee on Manufactures.

Correspondence of the Charleston Courier.

WASHINGTON, Jan. 24.

The passage of the Sub-Treasury bill in the Senate, is the subject on which congratulation among the friends of the administration here. The effect of the measure on the currency is probably exaggerated both by its friends and its foes; but it will certainly tend to restrain the issues of the local banks, as they will be frequently called on for specie by those who have payments to make to the government. It is very certain that it will pass the House. It has never been doubted by any one till within a day or two; but now it appears that the Whigs will not allow it to go by default, and that they will take the chances of some dissension among its friends in regard to its details, to defeat it. But opposition to it from the Whigs may only serve to unite its friends.

Mr. Buchanan presented a memorial from Pennsylvania to-day, praying Congress to impose a duty on foreign silks.—Mr. B. made some more remarks in support of the objects of the memorial—the protection of the domestic fabric; the discouragement of the enormous foreign importations; and the increase of the revenues. Silks are now free of duty, and he insists that it will not violate the compromise act to raise the duty to twenty per cent. *ad valorem*. The amount which we have annually paid for silks for four years past, is from ten to twenty four millions a year—a great deal exceeding the export of flour within that period. Mr. B. stated as Gen. Thompson did in the House, the other day, that there would be a deficiency in the revenue for the present year; and that, before the end of this session, Congress would have to provide more means to meet that deficit. The memorial was referred. The Senate spent some time in executive business.

In the House, Mr. Petriken, of Pa., gave notice of his intention to introduce a bill to repeal the act allowing iron purchased for and actually laid on rail roads, to be imported duty free. This may be looked upon as the commencement of the renewed tariff policy. The cry will soon be for protection, protection; and next, for the assumption of the state debts. Mr. Bynum resumed and concluded his long speech on the subject of abolition, and he endeavored to prove the identity of the Whigs with the abolitionists. In doing this, he tripped over; finding his own name recorded as having voted in 1836, with the abolitionists. But he decided, amidst an uproar of laughter, on all sides of the House, that there must be some mistake about it as he would never have voted in that way.

Mr. B. in the course of his remarks, alluded to Mr. Peck, of N. Y., as an abolitionist. Mr. Peck, replied that he had said what was not true.

Mr. Bynum said; "you are a black-guard and a scoundrel; a negro and an abolitionist." After some time spent in endeavoring, without success, to procure a retraction of the language from both members, the House adjourned.

Mr. Bynum, however, made an apology so far as the House was concerned.

Correspondence of the Charleston Courier.

WASHINGTON, Jan. 27.

In the Senate to-day, Mr. Webster and Mr. Tallmadge appeared and took their seats—both of them looking remarkably well. The subject of the establishment of a Board of Claims was taken up, and a long debate took place on it. Mr. Calhoun is an ardent opponent of this measure. It was brought forward some years ago, in consequence of the great accumulation of private claims upon the government, which were brought before Congress. It is agreed that justice must be denied to the great body of claimants, or their claims must be referred to another tribunal for decision.

Mr. Wright, from the Committee on Finance, reported a bill to allow the Vestry of St. Philip's Church, in Charleston,

South Carolina, to impart an "Organ, free of duty.

In the House, some house were spent in the consideration of a resolution, providing for the execution of the printing of the House. There is no printer at present, the House not having yet gone into the election. Finally, an order was passed that, until the House otherwise ordered, the printing should be given out by the Clerk to those persons who would execute it at the least expense to the United States. This resolution will secure the printing to the *Globe*, as they can do it cheaper than any other establishment. In fact, there are but two establishments that can execute it in proper time—the *Globe* and the *Intelligencer*, and the former having the Senate printing and being in full operation, can do it "at the least expense to the United States." So much for the end of this printing question, which has created so much excitement here.

Mr. Jones reported the general appropriation bill to-day.

The special order was taken up, viz: the adoption of the rules and orders as amended—the question still on General Thompson's amendment, for the exclusion of abolition petitions. Mr. Wm. Cost Johnson resumed his very excellent speech on the subject, clearly showing that, under the Constitution, these petitions could not be received; and that the House, by admitting the subject of abolition, made itself a party to the treason of the abolitionists.

Harrisburg is now the scene of very important movements. Great interests are felt in the course which the Legislature of Pennsylvania may take in relation to the Bank of the United States, and her other Banks. Should they be required to resume specie payments, very soon some of them must go to the wall.

Correspondence of the Southern Patriot, HOUSE OF REPRESENTATIVES. TUESDAY, Jan. 21, 1840.

As soon as the journal had been read, Mr. Proffit asked the indulgence of the House to submit a resolution calling upon the Secretary of War, for information as to whether Bull Dogs and Blood Hounds had been ordered for the Florida Campaign.

What object Mr. P. could have in submitting this resolution, I cannot conceive. He and his party are continually raving at the alleged impotency of the Secretary; and yet they are ever on the watch to pounce upon him on the least apparent deviation from the usual mode of warfare. They say, that he alone is responsible for the failure, and yet they are constantly intermeddling with his plans.

The first business in order, was the resolution of Mr. Thompson, denying the right of the reception of Abolition papers. Mr. Garland, of Va., being entitled to the floor, replied at some length to the remarks of Mr. Slade.

Mr. Butler, of S. C., followed, and in some very pointed remarks, placed Mr. Slade and his associates, in their true position. He said that gentlemen were not taken in supposing the issue was on the right of petition, the true issue is either union or dis-union and the moment that Congress should legislate on Slavery, that moment the Union would be practically dissolved. Mr. B. contended that the people of the North were ignorant of the true nature of affairs in the South. He assured them that if the Southern Institutions were not suffered to exist as they are, the life of every white man and woman would be endangered.

Mr. B. made some remarks, shewing why he and his party of the South, supported the Administration. They did so because the President was now an advocate of the measures for which they contended. Mr. B. alluded to the dubious policy of General Harrison, and proved that in 1833, that individual declared that he was willing that the whole surplus revenue should be applied to universal emancipation. Also, that 1836 Gen. Harrison refused to say whether he was an abolitionist or not. He adduced many other proofs of the Abolition principles of Harrison, which could not be denied, and asserted, that since the Harrisburg nomination, a letter had been written, asking him to define his position on that subject, but the General refused to answer. "Yes," said Mr. B., "he knows better than to answer." In conclusion, Mr. B. said, it had been asserted that Harrison, was now an actual member of an Abolition Society. After the exposure I wonder if the Whigs will still have the assurance to deny that Harrison is an Abolitionist.

Mr. Dromgoole objected to the Resolution of Mr. Thompson, and offered a substitute therefor, the object of which was to avoid the direct question of reception, and that all Abolition papers should be laid on the table without any question being raised, and that they be laid on the table without reading or being printed.

Mr. Thompson observed that a few days ago, on this motion, a Resolution of a similar import had been laid on the table, he therefore contended that it was not in order to renew that Resolution in another form.

A long debate then arose on the point of order, after which, the Resolution of Mr. Dromgoole was decided out of order by a vote of 99 to 98.

Mr. Adams then submitted an amendment to the Resolution of Mr. Thompson, providing that no petition should be rejected without a majority of votes; and that the special reasons for its rejection, should be entered on the journal.

The House then immediately adjourned.

Mortality of Mobile.—The whole number of interments in the city grave yard in Mobile for the past year is 998. The largest number of deaths occurred in September; the smallest in March. During the three months of September, October and November alone, more than two-thirds of the death took place—resulting from the fatal epidemic of last season.

The Knoxville Register says that the 13th presented in the Legislature of Tennessee by Gen. Jacobs, to provide for an union of the L. C. & Charlotte and Wiassee Rail Road Companies, and to amend the Charters of said Companies and the Charter of the South Western Rail Road Bank, was indefinitely postponed in the House of Representatives on the 13th ult., by a vote of 36 to 34.